

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RYAN SHAWN ERICKSON,

Plaintiff,

v.

COUNTRYWIDE HOME LOANS, INC.,  
et al.,

Defendants.

CASE NO. C10-5666BHS

ORDER DENYING MOTION  
FOR RECONSIDERATION AND  
DISMISSING REMAINING  
DEFENDANTS

This matter comes before the Court on Plaintiff's ("Erickson") response to the Court's order to show cause, which could also be considered a motion for reconsideration (Dkt. 142). The Court has considered the pleadings and the remainder of the file and hereby dismisses Erickson's claims against all remaining Defendants and closes this matter.

**I. PROCEDURAL AND FACTUAL HISTORY**

On March 7, 2011, the Court granted Moving Defendants' motion to dismiss all of Erickson's claims with prejudice. Dkt. 123, n. 1 (defining Moving Defendants). For a more complete factual background and history of this case see the Court's prior order granting Moving Defendants' motion to dismiss. *Id.* Therein, the Court ordered Erickson to show cause why it should not dismiss all remaining claims against all remaining Defendants for the same reasons set out in the order. *Id.* at 6.

**II. DISCUSSION**

In the Court's order granting Moving Defendants' motion to dismiss, it ordered Erickson to show cause as follows:

1 Based on the foregoing, Erickson has not stated a claim for which  
2 relief can be granted as to any Defendant remaining in the case. Erickson is  
3 ordered to show cause as to why the Court should not dismiss his claims  
4 with prejudice as to any remaining Defendants that did not join in Moving  
5 Defendants' motion to dismiss. Erickson may file a response to this show  
cause order no later than March 18, 2011. The response shall not exceed 10  
pages and shall address only claims against Defendants not dismissed  
herein. Failure to adequately respond will likely result in dismissal of  
Erickson's case with prejudice.

6 *Id.* Erickson's response to the Court's order to show cause (Dkt. 142) appears to be both a  
7 response to the order to show cause and a motion for reconsideration as to the Court's  
8 order granting Moving Defendants' motion to dismiss.

9 Motions for reconsideration are disfavored. The court will ordinarily  
10 deny such motions in the absence of a showing of manifest error in the prior  
11 ruling or a showing of new facts or legal authority which could not have  
been brought to its attention earlier with reasonable diligence.

12 Local Rule CR 7(h)(1). To the extent Erickson's response to the Court's show cause order  
13 could be considered a motion for reconsideration, Erickson has not adequately met his  
14 burden on reconsideration. Therefore, the motion is denied.

15 Erickson's complaint with respect to the remaining Defendants is as deficient as it  
16 was for the Moving Defendants discussed in the Court's March 7, 2011 order. Dkt. 142.

### 17 **III. ORDER**

18 Therefore, it is hereby **ORDERED** that Erickson's claims against all remaining  
19 Defendants are **DISMISSED** and Erickson's motion for reconsideration is **DENIED**.  
20 This matter is closed.

21 DATED this 28th day of April, 2011.

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25 BENJAMIN H. SETTLE  
26 United States District Judge  
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